

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

I. Status of the Application

Claims 1-4 are in the application.

Claims 1 and 4 are amended herein. No new matter is added.

Claim 5 is added. No new matter is added.

II. Claim Rejections – 35 USC § 112

The rejection of claims 1-3 under 35 USC § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter is traversed.

Claim 1 has now been amended to recite that the bracket is “configured to attach said housing to a car body.” It is respectfully requested that, in view of the amendment of independent claim 1, claim 1 and its dependent claims 2 and 3 are clear and definite. Withdrawal of the rejection of claims 1-3 under 35 U.S.C. § 112 is respectfully requested.

III. Claim Rejections – 35 U.S.C. §§ 102 and 103

The rejection of claims 1 – 3 under 35 USC § 102(b) as being anticipated by Salch (U.S. Patent No. 2,836,079) and the rejection of claims 2 and 3 under 35 U.S.C. § 103(a) as being unpatentable over Salch are traversed.

The Examiner states that Salch discloses all of the features of the present invention. Specifically, the Examiner considers the lower drive shaft 56 of Salch as corresponding to the recited “steering drive shaft” of independent claim 1. The Examiner considers the tube collar 31 of Salch as corresponding to the recited “housing” of claim 1. The Examiner also considers the spaced recesses 72 in bearing block 20 of Salch as corresponding to the recited

recess of the bracket of claim 1. Further, the Examiner considers the spaced ridges 64, thread 65 and ratchet teeth 75 of Salch as corresponding to the recited “escape preventing protrusion bent into said recess” of claim 1.

Independent claim 1 recites “a steering drive shaft capable of moving in an axial direction in response to a steering operation.” It is respectfully submitted that this feature is not taught or suggested by Salch. In contrast, Salch describes a lower drive shaft 56 that includes a worm gear 61 attached to its end. The worm gear 61 is in meshing engagement with a worm wheel of the steering assembly. *See* Salch, column 2, lines 47-53. Further, the lower drive shaft 56 is held in place by a “bearing assembly 59 which is rigidly secured to the outer tube 25 such as by screws 60.” *See* Salch, column 2, lines 45-46. It is respectfully submitted that both the worm gear 61 and worm wheel as well as the rigidly secured bearing assembly 59 will prevent the lower drive shaft 56 of Salch from being “capable of moving in an axial direction” as recited in claim 1. Thus, Salch does not teach each and every feature of the claim 1.

Independent claim 1 has been amended to recite “an escape preventing protrusion bent into said recess, for preventing said bracket from escaping.” The Examiner has made clear that the spaced recesses 72 of Salch are considered to correspond to the claimed recess. Accordingly, the thread 65 of Salch cannot be construed as corresponding to the escape preventing protrusion recited in claim 1, as it is not disposed in the spaced recesses 72 thereof. In contrast, the thread 65 engages with the continuous thread 67 of adjustable abutment plate 68 and is not disposed in the spaced recesses 72. Further, Salch describes that the upper end of the steering column is slidably supported within the bearing block 20. *See* Salch, column 2, lines 54-58. Accordingly, the ridges 64 are slidably received by the spaced recesses 72. *See* Salch, column 2, lines 64-71. Moreover, the ratchet teeth 75 of Salch are not configured to prevent the tube collar 31 from escaping the bearing block 20.

Salch describes that the ratchet teeth 75 are slidably received by the recess 73. *See* Salch, column 2, lines 64-71. Thus, Salch does not teach or suggest “an escape preventing protrusion bent into said recess, for preventing said bracket from escaping,” as recited in claim 1.

Because Salch does not teach or suggest all of the features of claim 1, as discussed above, it cannot anticipate or render obvious claim 1. Therefore, claim 1 is patentable over Salch. Claims 2 and 3 each depend from claim 1 and are patentable for at least the same reasons as claim 1. Reconsideration and withdrawal of the rejection of claims 1-3 under U.S.C. § 102 and claims 2 and 3 under U.S.C. § 103 based on Salch is respectfully requested.

The rejection of claims 1 and 4 under 35 USC § 103(a) as being unpatentable over Salch in view of Rood (U.S. Patent No. 2,479,702) is traversed.

The Examiner states that Salch discloses most of the features of the claimed invention, but admits that Salch does not disclose that bending an escape preventing protrusion into a recess. The Examiner relies on Rood as describing “a method in which pipes are coupled via a mechanism that bends the inside of the pipe outward creating a protrusion.”

It is respectfully submitted that it would not have been obvious to one of ordinary skill in the art to apply the method described in Rood to the safety steering shaft of Salch. Rood describes a coupling method that connects two tubular members in “a rigid secure and tightly sealed manner.” *See* Rood, column 2, lines 3-4. In contrast, Salch describes that the upper end of the steering column is slidably supported within the bearing block 20. *See* Salch, column 2, lines 54-58. Were the method described in Rood used to secure the upper

end of the steering column to the bearing block 20, the safety steering wheel of Salch would be rendered inoperable, as it would no longer be slidably supported. Accordingly, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine Salch and Rood.

Further, each of independent claims 1 and 4 recite that a section of the tube part is bent into a recess. As discussed above with respect to the rejection under U.S.C. § 102 based on Salch, this feature is not described in Salch. Moreover, one of ordinary skill in the art would not have been motivated by Rood to include such a feature in Salch. Accordingly, any combination of Salch and Rood would not include all of the features of claims 1 or 4. Thus, a combination of Salch and Rood cannot render either of claims 1 or 4 obvious.

Reconsideration and withdrawal of the rejection of claims 1 and 4 under 35 U.S.C. § 103 based on Salch and Rood is respectfully.

IV. New Claim 5

New claim 5 recites that the “recess includes a circumferential groove.” It is respectfully submitted that neither of the cited references teach or suggest a recess that includes a circumferential groove. Accordingly, claim 5 is further patentable over the cited references.

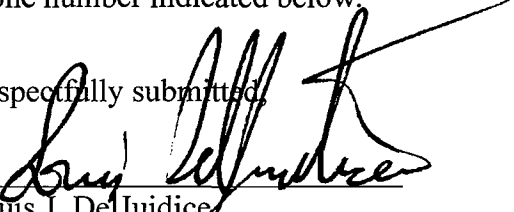
CONCLUSION

Each and every point raised in the Office Action dated April 7, 2008 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-5 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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